BOARD OF ARCHITECTURAL REVIEW
Regular Meeting
Tuesday, October 1, 2013

Mr. Graham called the meeting to order about 7:30 P.M.

ATTENDANCE

Present: Chair Charles Graham, Mr. Jaime Garrett, Dr. Richard Hoback and Mr. Frank Holloway. Also present: City Planner Steve Feverston, Planner Andrew Rodney and Assistant Clerk of Council Julie Weaver.

Absent: Both Ms. Stone and Mr. Thorp had notified staff of their absences.

EXCUSE ABSENT MEMBERS

MOTION: Mr. Garrett moved to excuse Ms. Stone and Mr. Thorp. Mr. Holloway seconded the motion. The motion passed with four ayes.

APPROVAL OF MINUTES

No changes were noted for the minutes of September 3, 2013.

MOTION: Dr. Hoback made a motion to approve the minutes of the Board of Architectural Review meeting on September 3, 2013. Mr. Holloway seconded the motion. The motion passed 4-0.

NEW BUSINESS

Application P-2013-0043: Amendment to An Approved Plan To Install a Window and Not Replace Metal Stairs at 100 North Main – Applicant, Therese Summers.

Mr. Graham rearranged the agenda to place Application P-2013-0043 first on the agenda. Mr. Feverston explained that the changes previously approved for replacement of the outside metal stairway with a wooden one, were found to be prohibitively expensive. Therefore the applicant asked to trade the door for a window and not replace the exterior metal staircase. The City Planner stated that the upper story is not occupied by a business, and the stairs are not needed to meet the requirements of the building code. The window would be double hung with 3 lites above and 1 large lite below. The contractor would finish off the sill area where the stairs attached to the limestone house.

Staff recommended approval of the application, without conditions.

MOTION: Mr. Holloway made a motion to approve Application P-2013-0043 with a window matching those presently in the building. Dr. Hoback seconded the motion. The motion passed with 4 ayes.

Application 2013-0022: Major Site Plan for Parking Lot Improvements at Ellie Home Caring - Applicant Art Hardin of Calibre Engineering for Jesse Deister, 157 West Franklin Street.

Mr. Rodney gave the staff presentation for the upgrades to the exterior of the former residence at 157 W. Franklin Street in the APD. The Major Site Plan mainly deals with access and parking areas.

A twelve-foot driveway on the east side of the attached garage is proposed as access and egress to the parking lot in the rear of the home. The business use requires thirteen parking spaces which will take up most of the rear yard for pavement, a drainage basin and screening along the property lines.

Mr. Rodney showed photos, discussed the neighboring uses, the drainage, the lighting plan, and the screening. Mr. Rodney stated that staff was not opposed to the conversion; the main concern was the narrow width of the ingress/egress drive around the garage. Sixteen feet was seen as the minimum width for two-way traffic. Mr. Rodney stated that, although Mr. Deister's need for parking was minimal, the future users of the property might have more intensive parking requirements. Staff pointed out that no other business property along W. Franklin had a drive less than 15' wide. Since there is only 21.4' from the garage to the east lot line, a variance would be necessary for a side yard setback for a 16'driveway. Mr. Rodney recommended that the matter be tabled while alternate solutions or a variance were pursued. Staff felt strongly that the the 16' width should be required.

Mr. Patrick Hansford, Patrick Hansford Associates, at 193 Cherry Drive, Centerville, spoke for the applicant in asking for conditional approval rather than tabling the application. He described the Ellie Home Caring business, gave a history of the application and voiced his frustration that he was unaware of the difficulty with the driveway until a few days before the Board's meeting, in spite of the fact that he had been in contact with staff since August 19, 2013. He presented a new design for the driveway, tapering it to meet the 12' width at the garage, flaring it once the garage was cleared and maintaining the side yard setback.

To counter Mr. Rodney's concern about future parking concerns, Mr. Hansford passed copies of a section of the Ohio Building Code. He argued that, when a new business would apply for zoning verification for a change of use and occupancy permits, the City would have control of any future users with more intense parking needs. Mr. Hansford requested an approval with a condition that would allow Mr. Deister to keep the 12' section of the driveway, subject to staff approval.

Mr. Jesse Deister, Ellie Home Caring, 157 W. Franklin Street, stated that a converted home seemed like a good match for his needs and the perfect image for his home health care business. He requested approval of the application and expressed concern for the coming of winter on the construction season.

Mr. Graham clarified the timeline of communications with the applicant. Mr. Rodney stated that he had discussed the concerns of staff with Mr. Hardin, the applicant of record, on the Wednesday prior to the Tuesday meeting. Mr. Graham and Dr. Hoback stated agreement with

Mr. Rodney that a 12' wide drive was too narrow for any type of commercial building. There was discussion of a shared access agreement with the neighbor to the east. When Mr. Garrett asked about a 16' driveway and variances for a minimal setback, Mr. Hansford asked for Board support for the variance when the item came before Planning Commission. Mr. Feverston reminded the Board that a variance is granted for hardship, and Mr. Rodney pointed out that the hardship must deprive the owner of legitimate use of the property, but loss of income or financial gain is not a sufficient hardship. Mr. Feverston stated that the Planning Commission would need to hear the arguments and make a determination.

MOTION: Mr. Graham made a motion to approve Application P-2013-0022, the Major Site Plan for Ellie Home Caring, subject to the condition that the applicant must pursue a shared access agreement with the owner of the property to the east. If this is not attainable, the applicant shall obtain a setback variance, so that a 16' roadway can be built. Mr. Holloway seconded the motion. The motion passed 4-0.

COMMUNICATIONS

Mr. Feverston shared no communications.

The next meeting of the Board of Architectural Review is scheduled for November 5, 2013 at 7:30 p.m. in the Council Chambers of the Municipal Building.

There being no further business, the meeting was adjourned.

Charles M. Graham